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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

01/29/2009

Franklin ZhiGang Zhang  
4717 Spencer Street  
Torrance, CA 90503

EXAMINER

ABELSON, RONALD B

ART UNIT

PAPER NUMBER

2419

DATE MAILED: 01/29/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/006,411

12/03/2001

Franklin Zhigang Zhang

3112

TITLE OF INVENTION: INTERNET BASED TIME DISTRIBUTED MESSAGE NETWORK SYSTEM AND PERSONAL MOBILE ACCESS DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	04/29/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

01/29/2009

Franklin ZhiGang Zhang  
4717 Spencer Street  
Torrance, CA 90503

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,411	12/03/2001	Franklin Zhigang Zhang		3112

TITLE OF INVENTION: INTERNET BASED TIME DISTRIBUTED MESSAGE NETWORK SYSTEM AND PERSONAL MOBILE ACCESS DEVICE

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nonprovisional	YES	\$755	\$300	\$0	\$1055	04/29/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ABELSON, RONALD B	2419	370-352000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/006,411	12/03/2001	Franklin Zhigang Zhang		3112

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ABELSON, RONALD B

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DATE MAILED: 01/29/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 873 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 873 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/006,411	ZHANG, FRANKLIN ZHIGANG	
	<b>Examiner</b>	<b>Art Unit</b>	
	RONALD ABELSON	2419	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/12/08 and Examiner's Amendment 1/17/09.
2. ☒ The allowed claim(s) is/are 28-49; renumbered as 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Ronald Abelson/  
Primary Examiner, Art Unit 2419

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this amendment was given in a telephone interview with Franklin Zhang on 1/17/09.

In the specification:

On page 8, line 35 change "joint" to "join"

On page 10, line 30 change "joint" to "join"

In the claims:

**28** (amended). An Internet based wireless communication system (IBWCS), comprising:

one server means running on Internet,

a plurality of wireless Access Points (APs) with Internet connection and providing wireless networking access,

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a plurality of Personal Mobile Access Device (PMAD) with wireless networking capability for getting wireless Internet access via said AP,

Wherein the APs has dedicated port for Internet connection,

Whereby the APs communicating with the server means via Internet,

Wherein said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said APs,

Whereby the PMAD access Internet wirelessly through the AP and communicate with the server means via Internet,

[Wherein the APs enable the PMADs to join communication over Internet connection with server means;]

Whereby the PMADs access Internet wirelessly through the APs and join the server means for communication among each other of the PMADs,

Whereby the server means [enables and, controls] verifies ID and usage configuration of the PMADs and controls the PMAD to PMAD communication over Internet,

Wherein said IBWCS forming virtual communication paths among said PMADs and said server means over the Internet,

Whereby messages are communicated among said PMADs and server means via said virtual communication paths,

Whereby being a key element in said virtual communication paths said server means guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery, and

Whereby the PMADs communicating with each other via the server means and Internet.

**30** (amended). An Internet based wireless communication system, comprising:

a Internet based message communication network (TDMN) including server means connecting to Internet and TDMN operation function means;

a plurality of wireless Access Points (APs) with Internet connection and providing wireless networking access;

a plurality of Personal Mobile Access Device (PMAD) with wireless networking capability for getting wireless Internet access via said AP,

Wherein the APs has dedicated port for Internet connection,

Whereby the APs communicating with the TDMN via Internet,

Wherein said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said APs,

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Wherein said PMAD has multimedia and data communication function means corresponding with said TDMN operation function means,

[Wherein said APs enables the PMADs to join the TDMN for communication over Internet connection;]

Whereby the PMAD access Internet wirelessly through the AP and join the TDMN for communication among each other of the PMADs over Internet,

Whereby the TDMN and the APs providing communication among the PMADs over Internet, and

Wherein said TDMN forming virtual communication paths among said PMADs over the Internet,

Whereby messages are communicated among said PMADs and TDMN via said virtual communication paths,

Whereby being a key element in said virtual communication paths said server means of the said TDMN guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery, and

Whereby the TDMN enables verifies ID and usage configuration of PMAD, controls, and guarantees the PMAD to PMAD communication over Internet without message lost.



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**33** (amended) An Internet based wireless communication system comprising:

a Internet based message communication network (TDMN) including server means connecting to Internet and TDMN operation function means;

a plurality of wireless Access Points (APs) with Internet connection and providing wireless networking access;

a plurality of Personal Mobile Access Device (PMAD) with wireless networking capability for getting wireless Internet access via said AP,

Wherein the APs has dedicated port for Internet connection,  
Whereby the APs communicating with the TDMN via Internet,  
Wherein said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said APs,

Wherein said PMAD has multimedia and data communication function means corresponding with said TDMN operation function means,

Wherein said APs enables the PMADs to join the TDMN for communication over Internet connection;

Whereby the PMAD access Internet wirelessly through the AP and join the TDMN for communication among each other of the PMADs over Internet,

Whereby the TDMN and the APs providing communication among the PMADs over Internet, and

Wherein said TDMN forming virtual communication paths among said PMADs over the Internet,

Whereby messages are communicated among said PMADs and TDMN via said virtual communication paths,

Whereby being a key element in said virtual communication paths said server means of the said TDMN guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery, and

Whereby the TDMN [enables] verifies ID and usage configuration of PMAD, controls, and guarantees the PMAD to PMAD communication over Internet without message lost,

wherein said TDMN has server means forming three-level hierarchical domain system for managing communication, comprising:

a host domain, a control domain and an access domain, wherein access domain is the bottom level of said hierarchical domain system, said access domain comprising a plurality of Access Server means and one Control Server means managing said Access Server means,

wherein control domain is the second level of said hierarchical domain system, said control domain comprising a plurality of said Control Server means and one Node Server means managing said Control Server means, and

wherein host domain is the core of said TDMN, comprising a plurality of said Node Server means and one Host Server means managing said Node Server means.

**36** (amended). An Internet based wireless communication system, comprising:

a Internet based message communication network (TDMN) including server means connecting to Internet and TDMN operation function means;

a plurality of wireless Access Points (APs) with Internet connection and providing wireless networking access,

a plurality of Personal Mobile Access Device (PMAD) with wireless networking capability for getting wireless Internet access via said AP,

a time distributed message process function means for package source data into multiple time distributed message units (TDMU) to communicate over Internet

Wherein the APs has dedicated port for Internet connection,

Whereby the APs communicating with the TDMN via Internet,

Wherein said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said APs,

Wherein said PMAD has multimedia and data communication function means corresponding with said TDMN operation function means,

[Wherein said APs enable the PMADs to join the TDMN for communication over Internet connection;]

wherein said TDMU is communication message unit of any original source information for communication among PMADs and said TDMN via Internet,

Whereby the PMAD accesses Internet wirelessly through the AP and join the TDMN for communication among each other of the PMADs over Internet,

Whereby the TDMN and the APs providing communication among the PMADs over Internet connection

Whereby the TDMN [enables, controls] verifies ID and usage configuration of the PMADs and controls the PMAD to PMAD communication over Internet,

Wherein said TDMN forming virtual communication paths among said PMADs over the Internet,

Whereby messages are communicated among said PMADs and TDMN via said virtual communication paths,

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Whereby being a key element in said virtual communication paths said server means of the said TDMN guarantees the PMAD to PMAD communication over Internet without message loss by storing and resending communication message to ensure message delivery, and

Whereby PMAD doing message communication via Internet and TDMN with TDMU means.

**49** (amended). One Internet and wireless network based message communication system, comprising:

One wireless mobile access network based on wireless LAN technology;

One message communication server means (CS);

A plurality personal mobile access device (PMAD);

Wherein the wireless mobile access network is a plurality of wireless access points (AP) connecting to Internet,

Wherein the CS is a server operation means operating with Internet connections,

Whereby AP communication to said CS via Internet,

Whereby PMAD doing wireless mobile communication by wireless communication to AP,

Whereby PMADs communicate among other via said AP and Internet,

Whereby PMAD communicate with said CS via Internet,  
Whereby said message communication system encodes and  
packet  
original multimedia and/or data message in to multiple message  
units for transmission and receiving over the Internet,

Whereby said message communication system sends and  
receives said message units among said PMADs and said message  
communication server system,

Wherein said message communication system forming virtual  
communication paths among said PMADs and said server means  
over the Internet,

Whereby messages are communicating among said PMADs and  
server means via said virtual communication paths,

Whereby being part of said virtual communication paths said  
CS guarantees the PMAD-to-PMAD communication over Internet  
without message loss by storing and resending communication  
messages to ensure message delivery, and

Whereby the CS verifies ID and usage configuration of the  
PMADs, controls and guarantees the message communication among  
said PMADs.

### ***Conclusion***

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments of Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RONALD ABELSON whose telephone number is (571)272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2419

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronald Abelson  
Primary Examiner  
Art Unit 2419

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/Ronald Abelson/  
Primary Examiner, Art Unit 2419